

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2357/P1dn  
ALL:kjf:jf

September 19, 2011

Representative Wynn:

Do you want a delayed effective date or initial applicability provisions for this bill?

This draft does not include fee waivers for veterans for licensure of various facilities in chapters 50, 51, and 255, such as nursing homes, mental health treatment facilities, hospitals, home health agencies, or tanning facilities among others. For these entities and others, the licensure lists both the owner and the facility, and each facility location would have its own license. Please advise if you would like initial licensing or certification fees for facilities waived for owners who are veterans.

This draft also does not include a waiver of any background check fee for caregivers under s. 50.065 (8). This provision is not a licensure provision but a caregiver background check must be performed on employees of certain health and residential facilities.

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This draft does not address s. 254.47, which relates to obtaining a permit to conduct, maintain, manage, or operate a campground and camping resort, recreational camp and educational camp, or public swimming pool, or s. 254.64, which relates to obtaining a permit to conduct, maintain, manage, or operate a hotel, restaurant, temporary restaurant, tourist rooming house, vending machine commissary, or vending machine. Under these sections, a permit may be issued to an individual, however, the permit is valid for a specific site. Therefore, as drafted, a veteran is not exempt from permitting fees for these activities. Please let me know if this is not consistent with your intent.

Under section 254.20, a public employee or a person serving on the governing body of a school is required to have a certification card to perform certain asbestos abatement activities. This draft includes a waiver for the initial fee that is imposed on a veteran to obtain a required certification card under s. 254.20. Please let me know if this is not consistent with your intent.

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I am uncertain as to whether certain approvals should be included in this proposal. Some approvals are for activities that seem as though they could be both a business and an occupation for an individual (as opposed to being run by a corporation) and some do not.

This draft includes approvals issued by the Department of Agriculture, Trade and Consumer Protection (DATCP) for the following in the fee waiver program: nursery dealers, nursery growers, and Christmas tree growers; ginseng growers and dealers; individual commercial pesticide applicators; raising deer; importing fish and operating fish farms; buttermakers and cheesemakers; butter graders and cheese graders; dairy farm operators; milk and cream testers; milk weighers and samplers; and persons who install or service weights and measures equipment.

The draft does not include the following DATCP approvals: seed labelers; fertilizer manufacturers or distributors; soil or plant additive manufacturers or distributors; liming material sellers or distributors; pesticide manufacturers; dealers or distributors of restricted use pesticides; commercial pesticide application businesses; manufacturers or distributors of commercial feed; animal markets; animal dealers; persons in the business of trucking animals; renderers, animal food processors, or grease processors; dairy plants; milk tanker operators or milk distributors; food warehouses; food processing plants; retail food establishments (such as grocery stores); plants where animals are slaughtered or meat is processed; public warehouse keepers; or milk or vegetable contractors, grain warehouse keepers, or grain dealers.

The draft includes approvals issued by the Department of Natural Resources for the following in the fee waiver program: well drillers, pump installers, and drilling rig operators; water system operators; septic system servicers; incinerator operators; hazardous waste transporters; and medical waste transporters.

The draft does not include environment approvals such as air and water pollution control permits, landfill licenses, or permits for mining or oil and gas exploration and production.

Please let me know if any changes should be made in the inclusion or exclusion of approvals described above.

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DNR issues "commercial" fish and game licenses and other approvals that allow persons to conduct a business or earn a living by harvesting or otherwise using certain wild animals and plants. These licenses are as follows: fur dealer licenses issued under s. 29.501; wholesale fish dealer licenses issued under s. 29.503; taxidermy permits issued under s. 29.506 (2); bait dealer licenses issued under s. 29.509; guide licenses issued under s. 29.512; sport trolling licenses issued under s. 29.514; commercial

fishing licenses issued under s. 29.519; fishing net and pole licenses issued under ss. 29.523, 29.526, 29.529, 29.531, and 29.533; clamming licenses and permits issued under s. 29.537; fish farm permits issued under s. 29.733; fish importation permits issued under s. 29.735; fish stocking permits issued under s. 29.736; wild rice dealer licenses issued under s. 29.607 (4) (b); wild ginseng dealer licenses issued under s. 29.611 (7); captive wild animal farm licenses issued under s. 169.15; wild fur farm licenses issued under s. 169.18; and bird hunting preserve licenses issued under s. 169.19.

I have included all of these approvals in this draft. Please let me know if you want to exclude any of these approvals.

Mary Gibson-Glass  
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This draft includes in the fee waiver program approvals issued by the Department of Transportation (DOT) for the following: motor vehicle salespersons, motor vehicle buyers, motor vehicle factory representatives, motor vehicle distributor branch representatives, recreational vehicle salespersons, salvage vehicle buyers, and driver instructors.

Because the following approvals appear to be typically issued to businesses, the draft does not include in the fee waiver program the following DOT approvals: outdoor advertisers, motor vehicle dealers, motor vehicle manufacturers, motor vehicle wholesalers, motor vehicle distributors, motor vehicle importers, recreational vehicle dealers, motor vehicle salvage dealers, motor vehicle auction dealers, moped dealers, or driver schools. Similarly, I have not included approvals issued by the Department of Health Services to laboratories providing chemical analysis of blood or urine for alcohol or controlled substance.

Additionally, there are several items that I have not treated because I am not certain whether they fall within the scope of your request. These are: 1) certifications from the Department of Public Instruction of librarians; 2) permits for individuals performing alcohol and controlled substance breath analysis; and 3) commercial driver licenses. Please let me know if you would like any of the items I have not treated to be included in the fee waiver program or if you would like anything I have treated excluded.

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I have included in this draft fee waivers for DFI and DOR licenses and permits that are commonly issued to individuals but not those typically issued to business entities. For example, the draft includes a fee waiver for a mortgage loan originator's license, but not for a mortgage banker's or mortgage broker's license. The draft also includes a fee waiver for a license issued to an investment adviser representative or broker-dealer agent, but not for an investment adviser or broker-dealer. In the area of alcohol beverages, the draft includes a fee waiver for a liquor salesperson's permit, but not for a brewery, brewpub, winery, or wholesaler's permit. The draft also does not include fee waivers for licenses for payday lenders, "licensed lenders," sales finance companies, insurance premium finance companies, check cashing and currency exchange businesses, credit adjustment businesses, collection agencies, and certain small business lenders. Please advise if you would like any of these omitted licenses or permits included in the fee waiver provisions of this bill.

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